

material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12857. Adulteration and misbranding of butter. U. S. v. 13 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18936. I. S. No. 12661-v. S. No. E-4931.)

On September 2, 1924, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 13 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Schlosser Bros., from Indianapolis, Ind., and transported from the State of Indiana into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing excessive water and deficient in fat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 22, 1924, Schlosser Bros., Indianapolis, Ind., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that it be reprocessed so as to raise the percentage of butterfat to not less than 80 per cent.

W. M. JARDINE, *Secretary of Agriculture.*

12858. Misbranding of assorted jellies. U. S. v. 76 Cases of Assorted Jellies. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17435. I. S. Nos. 4002-v, 4005-v, 4007-v, 4008-v. S. No. C-3958.)

On April 2, 1923, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 76 cases of assorted jellies, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Lakeside Preserving Co., Chicago, Ill., in part January 18, and in part January 25, 1923, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Silver Buckle Brand Apple and Strawberry" (or "Apple and Currant" or "Apple and Raspberry" or "Apple and Grape") "Jelly."

Adulteration of the article was alleged in the libel for the reason that the products were acidified pectin jellies artificially colored and pectin had been mixed and packed with said products so as to reduce and lower and injuriously affect their quality and strength and acidified artificially colored pectin jellies had been substituted in whole or in part for said articles.

Misbranding of the articles was alleged in the libel for the reason that the statements appearing in the labeling, "Jelly Apple and Grape," or "Apple and Currant," "Apple and Raspberry," "Apple and Strawberry," as the case might be, were false and misleading and deceived and misled the purchaser.

On May 13, 1924, the Lakeside Preserving Co., Chicago, Ill., claimant, having admitted the product to be misbranded and having consented to the entry of a decree judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*